

Medical Advisory Committee

Meeting Minutes

July 15, 2011

Dr. Wong called to order at 9:02 am on July 15, 2011, a meeting of the Medical Advisory Committee to the Workers' Compensation Division at Clackamas Community College.

Present:

Marilyn Terhaar (Worker Representative); Brad Lorber, MD; Frank Prideaux, DC; John Braddock, MD; Franklin Wong, MD (MCO Representative); Joey Blubaugh (Employer Representative); Juerg Kunz (WCD); Jacqueline Sewart (WCD); Mike McNickle (WCD); Charlene Barber (WCD); Mary Peel (WCD)

Absent:

Ronald Bowman, MD (Chair); Hans Carlson, MD; Gary Rischitelli, MD; Timothy Keenen, MD (Vice-Chair); Constantine Gean, MD (Insurer Representative); Tom Williams, PT

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A. Introductions – Jacqueline Sewart

(CD .15)

Welcome and introduction to Charlene Barber the new Medical section staff member. She will take over for Mary Peel and be doing the MAC meetings now.

B. May 13, 2011 Minutes

(CD .27)

Without a quorum the May 13, 2011 meeting minutes could not be approved.

A spelling correction was made on the May 13, 2011 minutes. Item E, second paragraph, last word; changed spondylolysis to spondylosis. The corrected sentence now reads: "The committee agreed that it should say spondylolysis as an absolute contraindication, not spondylosis."

Note: On Thursday July 28, 2011 the Minutes for May 13, 2011 were approved by the committee through email.

C. Joint Meeting (MAC/MLAC) September 16, 2011 – Jacqueline Sewart

(CD 5:20)

Agenda Items for Joint Meeting:

- Surgeons/Attending Physician (AP) Interaction
- E-communication and E-billing Update and Discussion

- New health Care Delivery Models
- Impairment Rating Discussion. AMA will be coming from Chicago to speak.
- CROET update on COHE Study (CROET - Center for Research on Occupational Environmental Toxicology - the research group in OHSU). MLAC Access Committee, regarding getting a more focus topic list of where the problems are. Original question was “is there an access problem”?

Some members are not sure what some of the agenda topics are about. For the MAC members to be prepared for the joint meeting it would be nice to know some back ground on what the original questions were. There will be a couple MLAC meetings before the joint meeting in September (Access meeting 7/22/11 & Impairment Rating Sub Committee 8/24/11). WCD staff will get some information regarding these meetings out to MAC members to review.

D. Legislative Updates – Jacqueline Sewart
(CD 15:47)

Bill	Description	Status
HB 2093	Managing care bill (This gave the agency more authority to go after people that are managing care but not certified).	Passed
HB 2100	Abolish the Drug Use Review Board and establish the Pharmacy and Therapeutic Committee.	Passed
SB 173	Disputed Claim Settlements (If worker wants to pay doctor the whole amount out of settlement, the doctor has to take that amount - up to fee schedule and anything above has to be written off. Used to be able to go after the difference of what Workers’ Comp pays and what is actually billed.)	Passed
SB 224	Regulation of Physicians Assistants (Allows them to be more general on their scope of practice.)	Passed
SB 372	Ambulance (The fee schedule is at 80% and was a concern for them – the fee schedule was taken out for accidents so they can get paid 100%.)	Passed

- Jacqueline and Juerg are getting involved with Oregon Health Authority on a few committees.
- DMAP group (Oregon Health Plan): The medical director of DMAP is in charge of this group. The group will probably start working on opioid guidelines first. They will have to report back to the legislature during the 2012 legislative session. Jacqueline and Juerg are also going to Pain Commission regarding opioids. DMAP just getting started and may still be looking for members. The DMAP group may be a better place for guidelines than the Pain Commission.
- Pharmacists will have a bigger role in checking opioids and such (dosage and multiple providers of same drug). Pharmacies had until June 1, 2011 to get on line. September 1st doctors will be able to register to have access on line to check

patients and their prescriptions. There are a few concerns on who can have access, so there may be legislative updates.

- Podiatrists received unlimited Attending Physician status effective January 1st.

E. MLAC Access Issues /Impairment Rating Update - Juerg Kunz
(CD 32.15)

At this point MLAC is still trying to define the actual problem. They are asking WCD to provide them with a few things:

1. Scenario of some of the hassles that providers face. Maybe a flowchart of what happens to a patient from the time they get hurt until they are well.
2. Some payment information (fee schedule amounts for services such as office visits; services for which providers do not get paid, etc.).
3. Specific examples faxed to agency of hassles would be helpful, such as; Insurances asking questions that are answered in original doctors dictation. John Braddock will fax Juerg an example.
4. Scope of practice chart – what the different providers can do in Workers’ Comp and the educational background of the doctor (MD, PA, DO, Podiatrists etc.).

F. Opioids (Pain Commission Update) – Jacqueline Stewart
(CD 37:00)

The Oregon Pain Management Program is having a “Pain Awareness Education Event” on September 1, 2011. The event will be held at the Dye House at Mission Mill, 1313 Mill Street SE, Salem, Oregon. It is free to attend, but if anyone is interested in going they will need to RSVP because there are only 130 attendee slots. Event Contact information:
Kathy Kirk, Pain Management Coordinator,
503-373-1605.

G. Lumbar Fusion Update and Brainstorming – Juerg Kunz/Mike McNickle
Power Point-Attachment
(CD 40:30)

Nine years of data was shown regarding diagnosis code 722.1 and types of treatment. Lumbar Fusion was one item in particular that brought up questions for WCD manager and the fact that only 31% of workers returned to work after having this procedure.

Discussion:

- The data does not look accurate to the committee. Agency commented that they were having issues getting data. This data is return to work at first closure of claim only.
- The committee members expressed that the number of Lumbar Fusion procedures are going down as the artificial disks are coming into play.
- Artificial disk replacement – lots of requests, confusion when multi disk procedures are needed to be done and owned by different insurers.
- Guidance from the committee on the coding procedures would help. This would ensure that everyone reads the data the same way.

- A diagnosis is assigned to a claim by looking at which diagnosis received the most money in medical services (this is where the ICD-9 code is assigned to the claim).
- Once a diagnosis is placed on the paperwork it follows that claim all the way through process, even if something changes. This can cause a code tracking problem.
- In the outcome of occupational situations versus general health, psychological evaluation is a big indicator. We don't want to lose that in the stats.
- Agency would like to get ideas from the committee as to whether there is an issue worth pursuing and what other reports would be helpful.
- Can we get data from MCO's versus not MCO's?
- Some work needs to be done in between committees. Suggestion to use the data that is already out there and available instead of spending time recreating the criteria. Dr. Wong has the guidelines for Washington and Colorado.

H. Temporary Rule – Juerg Kunz
(CD 1:14:50)

A temporary rule, effective July 5, 2011 until December 31, 2011, is in place for prosthetics and orthotics to pay for them at 100% of the provider's usual charge. WCD is working on getting a permanent rule in place starting January 1, 2012. The problem with the permanent rule, effective April 1, 2011, was that the codes used for the prosthetics and orthotics includes the labor. There is a lot of labor involved with many prosthetics and orthotics and providers were no longer able to bill separately for the labor. Also included in this will be DMEs and some supplies. The external advisory committee meeting on this will meet August 4, 2011.

I. New Technology – Juerg Kunz
(CD 1:18:18)

- Added diagnostic ultrasound for possible future consideration.
- Nothing active right now.

J. Subcommittees Meet
(CD 1:19:25)

No subcommittees right now.

K. For the Good of the Order
(CD 1:19:50)

Question:

- If a claim is closed and the client has an aggravation, does the old motion reopen and continue counting on the five years or does the clock reset and a new five year count start?
- Staff will get an answer and get back to Dr. Wong on his question.

Adjournment:

Meeting was adjourned at 10:22 am by Dr. Wong. The next Medical Advisory Committee Meeting will be a joint meeting with MLAC at 9 am on September 16, 2011 at Clackamas Community College.